09-20-02

RCE/ #/1600

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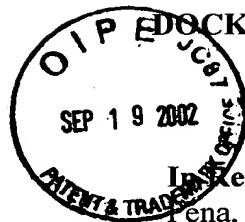
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
Pena, et al.

#10
PKO
10/11/02

Serial No.: 09/634,399	**Group Art Unit:** 1617
Filing Date: August 9, 2000	**Examiner:** Lauren Q. Wells

For: NOVEL COMPOSITIONS OF MINOXIDIL

EXPRESS MAIL LABEL NO: EV 160091942 US
DATE OF DEPOSIT: September 19, 2002

EV160091942US

Box ☒ AF

☐ ISSUE FEE

Assistant Commissioner for Patents
Washington DC 20231

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

1.   Submission required under 37 C.F.R. §1.114

☒   Previously submitted

☒   Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on July 31, 2002. (Any unentered amendment(s) referred to above will be entered).

☐   Consider the arguments in the Appeal Brief or Reply Brief previously filed on @@.

☐   Other: @@.

09/23/2002 AWONDAF1 00000077 09634399
01 FC:179   740.00 OP
09/23/2002 AWONDAF1 00000077 09634399
02 FC:117   810.00 OP

☒   Enclosed

☐   Amendment/Reply
☐   Affidavit(s)/Declaration(s)
☒   Information Disclosure Statement (IDS)
☒   Other: Form PTO-1449, plus 6 references

2.   Miscellaneous

☐   Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of @@ months. (Period of suspension shall not exceed three (3) months; Fee under 37 C.F.R. §1.17(i) required)

FEE CALCULATION:

				SMALL ENTITY		NOT SMALL ENTITY	
☒ **RCE BASIC FILING FEE**				$370.00	$	$740.00	$740.00
	CLAIMS REMAINING AFTER RCE	HIGHEST NO. PAID FOR	EXTRA				
TOTAL CLAIMS	114	118 (20 MINIMUM)	0	$9 EACH	$	$18 EACH	$ 0.00
INDEP. CLAIMS	6	6 (3 MINIMUM)	0	$42 EACH	$	$84 EACH	$ 0.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT				$140	$	$290	$
☐ ONE MONTH EXTENSION OF TIME				$55	$	$110	$
☐ TWO MONTH EXTENSION OF TIME				$200	$	$400	$
☒ THREE MONTH EXTENSION OF TIME				$460	$	$920	$920.00
☐ FOUR MONTH EXTENSION OF TIME				$720	$	$1440	$
☐ FIVE MONTH EXTENSION OF TIME (May only be taken when filing RCE in lieu of Appeal Brief)				$980	$	$1960	$
☒ LESS ANY EXTENSION FEE ALREADY PAID				minus	($)	minus	($110.00)
☐ TERMINAL DISCLAIMER				$55	$	$110	$
TOTAL FEE DUE							$1,550.00
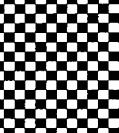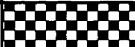
☒   A check in the amount of $ ___1,550.00___ is enclosed.

☒   A response to the final Office Action dated April 1, 2002 was due on July 1, 2002. Petition is hereby made under 37 C.F.R. 1.136(a) to extend the time period for response from July 1, 2002 to and through **October 1, 2002** comprising an extension of the shortened statutory period of **three** month(s).

☒   The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

☒   The Commissioner is further authorized to charge any additional patent application processing fees under 37 C.F.R. §§1.136 and 1.17 to deposit account 23-3050.

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: 9/19/02   _S. Maurice Valla_

                                                 S. Maurice Valla
                                                 Registration No. 43,966

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